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Report of the Working Group on the Universal Periodic Review*

Cyprus

Addendum

Views on conclusions and/or recommendations, voluntary commitments and replies presented by the State under review

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Introduction

1. The Republic of Cyprus (RoC) attributes great significance to the Universal Periodic Review (UPR) process, as the principal human rights protection mechanism. We believe that, this process of review is a critical element in our effort towards achieving our common goal.

2. In this spirit, the Cyprus Government has carefully considered the 105 recommendations (RC) received during its UPR in consultation with the Ministries and Services having competence for the specific matters, national independent monitoring mechanisms, such as, the Commissioner for the Protection of Children's Rights, the Ombudsman and other independent institutions, such as the Commissioner of Humanitarian Issues. As a result, Cyprus is in a position to accept **96** recommendations in full, in principle or in part.

3. This document is structured in accordance with the main thematic areas presented in the report of the Working Group on the UPR (A/HRC/WG.6/18/L.12) under Section II 'Conclusions and/or Recommendations'.

4. Cyprus ***accepts*** those recommendations which are considered as already implemented, those which are in the process of being implemented and those which we intend to implement.

5. Cyprus ***accepts in principle,*** recommendations where the Government supports the principle behind the recommendation and where the Government regards itself as compliant, but does not support any suggestion that our current efforts are insufficient or fall short of good practice in a particular area.

6. The recommendations that the Government ***accepts in part*** are those which it is not currently in a position to implement due to, for example, legal or financial restrictions or those we partly reject.

7. Recommendations which are ***rejected*** are, generally, those that the Government is not able to commit to implementation at this stage, or where the Government rejects the assertions being made.

8. The Government is committed to the promotion and implementation of the fundamental human rights instruments and will continue to strengthen the efforts to ensure that policies and legislation towards the protection and safeguarding the human rights will be in line with international standards.

9. Cyprus's determination to safeguard the **rights of migrants** is evident through the series of measures it has taken and will continue to do so in order to balance the need for an effective immigration system and safeguarding of the rights of migrants, and, at the same time, to promote a more co-ordinated and effective approach among the competent authorities. Within this framework, the Government has decided to initiate a revised NAP for migrants' integration to cover the years 2014–2016. This NAP will be the outcome of consultation among competent authorities, national independent monitoring mechanisms, NGOs, civil society and Social Partners. The key elements of the revised NAP will include, inter alia, social inclusion and protection of vulnerable individuals, anti-discrimination and anti-racist policy actions.

10. Regarding **asylum seekers**, Cyprus has taken measures to strengthen the capacity to provide care and housing to asylum seekers. In particular, with the financial aid of the European Refugee Fund, Cyprus is expanding the Reception and Accommodation Centre for Applicants of International Protection in Kofinou, which, by the end of 2014, will be able to accommodate up to 400 persons, whilst at the same time, it has proceeded with

maintenance activities and with the replacement of equipment. Board, lodging and clothing are offered at this Centre, while social workers and psychologists offer their services on a daily basis.

11. Cyprus has increased its efforts to combat **trafficking in human beings**. In this spirit, Directive 2011/36/EU of the European Parliament and of the Council on Preventing and Combating Trafficking in Human Beings and Protecting its Victims, was recently transposed into national law, with Law L.60(I)/2014. It is expected that prosecution of perpetrators will be more effective, and the rights of child-victims will be further protected as the Law contains special provisions to that effect. The amended National Action Plan Against Trafficking of Human Beings (NAPATHB) 2013-2015, takes into account the EU Strategy 2012-2016, the new EU Directive 2011/36/EU and the recommendations of the Commission of Experts of the Council of Europe (GRETA).

12. The fight against **discrimination**, xenophobia and stereotyping is one of the main priorities of the Government at all levels, including, inter alia, education, healthcare, sports and labour. For instance, the NAP on Minimising the Consequences of the Economic Crisis in Public Healthcare, which covers the period September 2013–September 2015, is a useful tool in identifying the challenges caused by the current economic constraints and ways to address them. This NAP was the outcome of consultation among competent authorities, and national independent monitoring mechanisms.

13. Regarding **gender equality** in workplace, the new NAP on Equality between Women and Men 2014-2017 is at the final stages of drafting, following close collaboration with all competent authorities, national independent monitoring mechanisms, the National Machinery for Women's Rights (NMWR), women's organizations and other NGOs, academic institutions and human rights bodies. Combating all forms of violence against women will be one of the six priority areas of this NAP. The Ombudsman, in her capacity as Equality Authority, cooperates with the Cyprus Academy of Public Administration and MIGS (Mediterranean Institute of Gender Studies) to organize an awareness raising campaign on zero tolerance to violence against women and girls in Cyprus, a national media campaign (September 2014–November 2015), and special training to first line officers (March 2014–November 2015). A Code on Sexual Harassment in Public Service will be introduced (2014–2015) and a series of special training seminars on gender equality issues to public officers will be launched (2014–2017).

14. Acknowledging the need for immediate reformation of the operation of the **prisons**, the Government introduced a far-reaching reformation program, based on international human rights standards and norms, and proceeded with drastic corrective measures. The reformation program contains short, medium and long-term measures. Prisons are, already, undergoing a considerable restructuring of its leadership and management team, to ensure that, prison conditions are aligned with the basic principles for the treatment of inmates, including respect of their human rights and dignity.

15. Respect of human rights remains top priority for Cyprus, despite the current economic situation which spread over all sectors and areas of life. The Government adopted a series of measures in order to achieve economic stability and to support economic growth in the medium term. It addresses challenges in three main areas, namely putting public finances on a sustainable path, overhaul of the banking sector and implementation of structural reforms, such as public sector reform, health care and welfare reform. In parallel, the Government is promoting specific measures to support economic activity. These measures will eventually lead to a more stable economy which will consequently improve the standard of living of all people living in Cyprus.

International human rights Instruments and mechanisms

16. Cyprus **accepts** the following recommendations:

114.7, 114.8, 114.9, 114.10, 114.11, 114.12, 114.14, 114.15, 114.16, 114.18, 114.19, 114. 20.

17. Regarding **RCs 114.7 and 114.12,** the ratification process of the 1954 Convention relating to the Status of Stateless Persons is at the final stages, awaiting approval by Parliament.

18. Regarding **RCs114.8, 114.9, 114.11,** consultation among the competent authorities is in process with a view to ratifying the CED.

19. Regarding **RCs 114.14 and 114.15,** the ratification of the Council of Europe Convention on Preventing and Combating Violence against Women is currently under consideration by the Ministerial Committee for Equality between Women and Men.

20. Cyprus **accepts in principle** the following recommendations:

114.1, 114.9, 114.21, 114.23, 114.24.

21. Cyprus **rejects** the following recommendations:

114.2, 114.3, 114.4, 114.5, 114.6, 114.7, 114.13, 114.17.

22. Regarding **RCs 114.2 to 114.7,** Cyprus has not yet signed or ratified the ICRMW, as there is an official position by the European Union on this matter stating that, at present, the EUMS are not in a position to sign or ratify it as its text raises '*several insurmountable difficulties*'. Cyprus transposed into national legislation the relevant European Acquis, fostering the rights of the migrants and of their families, such as the Council Directive 2003/86/EC on family reunification, the Council Directive 2003/109/EC concerning the status of third-country nationals who are long-term residents, the 'Return Directive' 2008/115/EC etc.

23. Regarding **RC114.13**, ILO C189 has not been ratified as there are some detailed provisions that are not commensurate with national law and practice, and that cannot be envisaged at present due to the economic situation in Cyprus.

Protecting the rights of vulnerable groups - promoting equality

Vulnerable groups

24. Cyprus **accepts** the following recommendations:

114.25, 114.26, 114.27, 114.28, 114.31, 114.36, 114.78, 114.79.

25. Regarding **RC114.28**, the drafting of the new National Action Plan on Equality between Women and Men 2014-2017 (NAPEWM), in close collaboration with all government departments, national independent monitoring mechanisms, women's organizations and other NGOs, academic institutions and human rights bodies, is at the final stages. The Recommendations and Concluding Comments of CEDAW and other treaty bodies are taken into account in the drafting of the new NAPEWM.

Equality

26. Cyprus **accepts** the following recommendations:

114.22, 114.34, 114.35, 114.36, 114.37, 114.38, 114.39, 114.74.

27. Regarding RC114.22, the Government provides a special budget for the NMWR.

28. Regarding RCs 114.34 and 114.35, in the framework of the intercommunal talks, women have played an important role as members of the negotiating bi-communal structures and bodies, working at the same time outside the framework of the negotiations. Government encourages NGOs and civil society, which are active on a bi-communal level and which deal, inter alia, with gender mainstreaming and furthering of implementation of the UNSCR 1325. Their input is taken into account. The overall objective remains the comprehensive settlement of the Cyprus problem in a manner that ensures the respect of fundamental freedoms and human rights for everyone, including gender equality, in law and in practice.

29. Regarding RC 114.74, the new NAPEWM aims to further enhance the participation of women in public and political life with the introduction of positive action measures, such as quotas. In view of the Euro-Parliamentary Elections of 2014, a public consultation of the Government with Women's Organisations, political parties and the media was launched.

LGBTIs

30. Cyprus **accepts** the following recommendations:

114.48, 114.49, 114.50, 114.59.

31. Regarding **RCs 114.48, 114.50** and **114.59,** a Bill amending the Criminal Code so as to criminalize public incitement of discriminatory, hateful or violent acts against persons because of their sexual orientation or identity, is pending before Parliament.

32. Regarding **RC114.49,** a Bill regulating the civil partnership pact for same and opposite sex couples, is at present open for consultation between various Government Services and NGOs, aiming at its enactment before the end of 2014.

Measures to prevent violence

33. Cyprus **accepts** the following recommendations:

114.33, 114.54, 114.55, 114.57, 114.59.

34. Regarding **RC114.54,** the assessment of the National Action Plan on the Prevention and Combating of Domestic Violence 2010-2013, will be taken into account for the new NAP.

35. Cyprus **accepts in principle** the following recommendation:

114.56 The signing and ratification of the Council of Europe Convention on Preventing and Combating Violence against Women and Domestic Violence is under consideration by the Ministerial Committee for Equality between Women and Men. A definite date for ratification cannot be given at present.

Combating trafficking in human beings

36. Cyprus **accepts** the following recommendations:

114.60, 114.61, 114.62, 114.63, 114.64, 114.65, 114.66, 114.68, 114.69, 114.70.

37. Regarding **RCs 114.64 and 114.70**, the Government provides a special budget for the National Action Plan against THB (NAPATHB) 2013-2015 and its various actions.

38. Regarding **RC114.69,** there is a State Hotline for complaints, including complaints for trafficking which are directly transferred to the Police Office for Combating Trafficking (POCT) for immediate action and assistance. The POCT cooperates closely with the NGO 'Cyprus Stop Trafficking'.

39. Cyprus **accepts in part** the following recommendation:

114.67: Cyprus does not accept the allegations contained in the first part of this recommendation. Cyprus abides by the relevant international instruments based on which it has introduced or is in the process of introducing further measures, mechanisms and laws to enhance protection against trafficking.

Discrimination

40. Cyprus **accepts** the following recommendations:

114.40, 114.41, 114.42, 114.43, 114.44, 114.45, 114.46, 114.47.

Children

41. Cyprus **accepts** the following recommendations:

114.58, 114.71.

Protecting the rights of migrants, refugees and asylum seekers

42. Cyprus **accepts** the following recommendations:

114.77, 114.78, 114.83, 114.84, 114.85, 114.86, 114.87, 114.88, 114.89, 114.90, 114.91, 114.93, 114.95, 114.96, 114.102, 114.103, 114.104.

43. Regarding **RC114.91**, a Bill ratifying the Cooperation Agreement between Cyprus and the International Organization for Migration is pending before Parliament, expected to be approved by the end of May 2014. Strengthening cooperation between EU and international community is crucial in order to address the multifaceted issue of irregular migration.

44. Regarding **RC114.104**, the Reception and Accommodation Centres are in conformity with international standards (CPT). Further development will also be achieved through the new Asylum Migration and Integration Fund 2014-2020.

45. Cyprus **accepts in principle** the following recommendation:

114.100.

46. Cyprus **accepts in part** the following recommendations:

114.94, 114.97, 114.98, 114.101.

47. Regarding **RC114.94,** Cyprus does not accept the allegations contained in the first part of this recommendation. There is an effective mechanism in place. Nevertheless, Cyprus will continue its efforts to improve its processing mechanisms.

48. Regarding **RC114.97,** Cyprus accepts the part referring to agricultural sector.

49. Regarding **RC114.98**, there is no evidence suggesting increase in labour exploitation.

50. Cyprus **rejects** the following recommendations:

114.92 and 114.99.

51. Regarding **RC114.99**, an acceptable framework for the protection of irregular migrants is already in place.

Internally displaced persons (IDPs)

52. Cyprus **accepts** the following recommendation:

114.105.

Religious minority groups

53. Cyprus **accepts** the following recommendations:

114.72, 114.73.

54. Regarding the **RC114.73**, Cyprus fully supports the work of UN Special Rapporteur on Freedom of Religion and Belief. There is an on-going inter-religious dialogue in Cyprus with the full support of the government. There have been a number of inter-religious meetings.

Detention

55. Cyprus **accepts** the following recommendations:

114.51, 114.52, 114.53.

Unemployment

56. Cyprus **accepts** the following recommendations:

114.75, 114.76.

57. Cyprus has already taken practical measures so as to address the financial situation. The Government is determined to further enhance its efforts towards economic stability and growth.

Education

58. Cyprus **accepts** the following recommendations:

114.29, 114.30, 114.32, 114.80, 114.81, 114.82.